

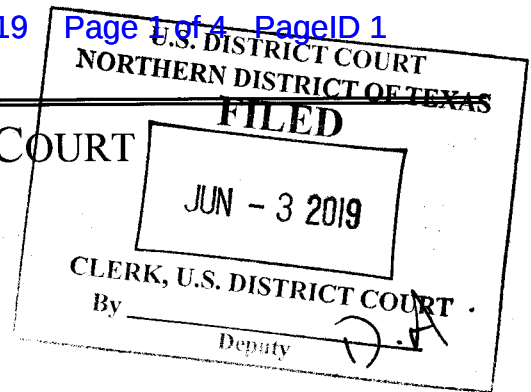
UNITED STATES DISTRICT COURT

for the
Northern District of TexasUnited States of America
v.

DAVIN SETH WATERS

Case No.

2:19-MJ-103



Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of from 2017 until May 2019, in the county of Parmer in the
Northern District of Texas, the defendant(s) violated:*Code Section*

18 U.S.C. 2423(a) and (b)

*Offense Description*Transportation with Intent to Engage in Criminal Sexual Activity, and Travel
with Intent to Engage in Illicit Sexual Conduct

This criminal complaint is based on these facts:

See attached affidavit in support of complaint.

☒ Continued on the attached sheet.

Complainant's signature

T. Scott Hendricks, FBI SA

Printed name and title

Sworn to before me and signed in my presence.

Date: 06/03/2019

Judge's signature

City and state: Amarillo, Texas

Lee Ann Reno, U.S. Magistrate Judge

Printed name and title

Case No. 2:19-MJ-103

AFFIDAVIT IN SUPPORT OF COMPLAINT

I, Special Agent T. Scott Hendricks, being duly sworn under oath, do hereby depose and state:

1. I am a Special Agent with the FBI, and I have been so employed since 2002. I am currently assigned to the Amarillo Resident office of the FBI in Amarillo, Texas. As part of my official duties, I have conducted and participated in investigations relating to firearms investigations and crimes of violence. As part of my duties and responsibilities as an FBI Special Agent, I am authorized to investigate crimes involving the interstate transportation and sexual exploitation of minors, including violations of Title 18 U.S.C. § 2423(a), Transportation with intent to engage in criminal sexual activity, and 2423(b), Travel with intent to engage in illicit sexual conduct.

2. On 05/23/2019, a parent from Texico, New Mexico, reported that one of his minor children, hereinafter referred to as NM had disclosed that a fellow church member, identified as Davin Seth Waters, touched NM on multiple occasions by putting his hands down NM's pants and touching his genitals in a sexual manner. NM said it happened several times before Christmas time in 2018. NM also said Waters had NM touch Water's penis.

3. Waters resided in Farwell, Texas. Waters was most recently employed as a deputy for the Parmer County Sheriff's Office in the State of Texas. Waters taught at a Tae Kwon Do studio near Bovina, Texas.

4. On 05/26/2019, Waters was interviewed by Curry County Sheriff's Office Chief Criminal Investigator Sandy Loomis. During the interview, Waters admitted that on 3 occasions over the past year, the most recent being 05/22/2019, Waters followed NM into the bathroom at the church in Texico, New Mexico, and had the child touch his exposed penis and Water's touched NM's exposed penis.

5. On 05/31/2019, another minor victim, XV, was interviewed at the Bridge Child Advocacy Center in Hereford, Texas. XV resides in Portales, New Mexico. During the interview, XV disclosed that Waters would pick up him and his minor brother, YV, in Clovis, New Mexico and take them to his house in Texas. Waters also took XV and YV to Water's aunt's house in Texas. XV and YV knew Waters from the Tae Kwon Do studio.

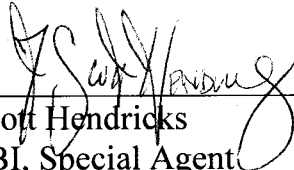
6. XV said Water's asked XV and YV to play truth or dare multiple times. On one occasion, XV said Water's dared YV to insert a toothbrush into his anus. Water's inserted the toothbrush into YV's anus and pulled it out. XV also said Water's dared him to take off his clothes and dance around and dared him to masturbate until XV ejaculated. XV performed both acts. XV said that Water's placed his mouth on XV's penis while they were in a hot tub at Water's aunt's house in Texas. XV disclosed that Water's touched XV's genitals in a sexual manner with his hand. XV added that Waters had YV place or touch his mouth on Water's penis. Based on the interview, the incidents with XV and YV were believed to have occurred between the dates of November 2017 to June 2018.

7. On 06/03/2019, parents brought their minor child, AR, to the Bridge Child Advocacy Center in Hereford, Texas, for a child forensic interview. During the interview, AR said he has known Waters since he was 11 years old. AR was a student at Waters' Tae Kwon Do studio. In 2017 or 2018, Waters picked up AR and took him to the studio for class instruction. AR said they arrived early and Waters asked AR to play truth or dare. Waters and AR went into a storage closet where Waters touched AR's exposed penis and Water's exposed his penis to AR. Water's then masturbated himself and AR.

8. After that incident, Waters picked up AR and took him to a black belt workout in Portales, New Mexico. After the event was over, AR and Waters were driving back to Texas in Waters' truck. While driving, Waters asked AR if he wanted to

come to his house. AR said he felt uncomfortable and weird because of what happened before and told Waters no. Waters then started asking AR questions including, do you masturbate? Do you understand how to masturbate? Does it feel good when you masturbate?

9. Based on the information set forth in the preceding paragraphs, I have probable cause to believe Davin Seth Waters did knowingly transport minors who had not attained the age of 18 from New Mexico to Texas with the intent to engage in criminal sexual activity with the minors for which he can be charged with a criminal offense in the State of Texas which is in violation of Title 18 U.S.C. 2423(a), Transportation with intent to engage in criminal sexual activity. Waters also traveled from Texas to the church in Texico, New Mexico, with a motivating purpose of engaging in illicit sexual conduct with a minor in violation of Title 18 U.S.C. 2423(b)(2) Travel with intent to engage in illicit sexual conduct.

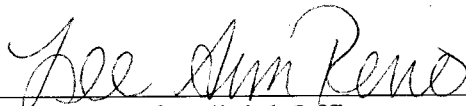


Scott Hendricks
FBI, Special Agent

Sworn to before me, and subscribed in my presence

June 3, 2019 at Amarillo, Texas
Date City and State

Lee Ann Reno, U.S. Magistrate Judge
Name and Title of Judicial Officer



Signature of Judicial Officer



Sean J. Taylor
Assistant United States Attorney